

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Kanzora Robinson,)	C/A No. 3:18-3460-MGL-PJG
)	
Plaintiff,)	
)	ORDER
v.)	
)	
Megan J. Brennan, <i>Postmaster General,</i>)	
<i>United States Postal Service,</i>)	
)	
Defendant.)	
)	

This employment case is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.) for an order on Plaintiff's motion for attorney's fees. (ECF No. 141.) Plaintiff argues that expenses are justified under Federal Rule of Civil Procedure 37(a)(5) because the court previously granted in part Plaintiff's motions to compel. (ECF Nos. 46 & 80.) However, in the hearing on the second motion to compel held on July 10, 2020, the court denied Plaintiff's requests for expenses under Rule 37. (ECF No. 89.) In her motion, Plaintiff argues that she recalls from the hearing that the court held the motion for attorney's fees in abeyance after granting the motion to compel in part. The court has reviewed the recording of that hearing and the court specifically denied Plaintiff's requests for expenses under Rule 37, finding that the defendant had a legitimate basis for believing that it had previously complied with the court's order granting in part Plaintiff's first motion to compel. See Fed. R. Civ. P. 37(a)(5)(A)(ii). Consequently, Plaintiff's renewed motion for attorney's fees with respect to ECF Nos. 46 & 80 is denied. (ECF No. 141.)

IT IS SO ORDERED.

March 31, 2021
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE